

REMARKS

Claims 1-13 are pending in the present application. In the above amendments, Applicants amend claims 1, 5, and 12.

In the Office Action mailed August 20, 2004, Examiner rejected claims 1, 2, 4-6, and 8-13 under 35 U.S.C. §102(b) as being anticipated by Kanerva et al. (U.S. Patent. No. 5,930,233), hereinafter referred to as Kanerva.

Further, Examiner rejected claims 3 and 7 under 35 U.S.C. §103(a) as being unpatentable over Kanerva.

Applicants respectfully respond to this Office Action.

Claim Rejections – 35 USC § 102(b)

Claims 1, 2, 4-6, and 8-13 are rejected under 35 U.S.C. §102(b) as being anticipated by Kanerva et al. (U.S. Patent. No. 5,930,233), hereinafter referred to as Kanerva.

Applicants amend claims 1, 5, and 12 to highlight the distinction between Applicants' claims and Kanerva. Specifically, Applicants amend claims 1, 5, and 12 to highlight that the unsequentially received Radio Link Protocol frame is received on a first channel, and the first channel and a second channel are monitored for the delayed frame, wherein the first and second channel are code-multiplexed to allow simultaneous transmission of frames. This amendment is supported by Applicants' specification as originally filed (please see page 4, line 27 through page 5, line 12). Kanerva does not teach or suggest a first and a second channel that are code-multiplexed to allow simultaneous transmission of frames. Therefore, all of Applicants' claims are allowable over Kanerva.

Claim Rejections – 35 USC § 103(a)

Further, Examiner rejected claims 3 and 7 under 35 U.S.C. §103(a) as being unpatentable over Kanerva.

As explained above, Kanerva does not teach or suggest all elements of Applicants' claims as amended. Therefore, all of Applicants' claims are allowable over Kanerva.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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